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**CITY OF CENTENNIAL, COLORADO**  
13133 East Arapahoe Road, Centennial, Colorado 80112

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**ADMINISTRATIVE POLICY**  
**No. 2010-AP-12**

**ELECTRONIC MEDIA USE POLICY**

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**I. AUTHORITY:**

Article VIII of the City's Home Rule Charter ("Charter"), as adopted in 2008, identifies the City Manager as being responsible for the proper administration of all affairs of the City. Specifically Section 8.4 (b) of the Charter grants the City Manager powers and duties including supervising and overseeing all aspects of City functions and activities, service contracts and personnel and departments that report to the City Manager.

In addition, Ordinance No. 2010-O-06, an ordinance amending Article 2 of Chapter 2 of the City's Municipal Code, provides further authority to carry out the administrative affairs of the City. Section 2-2-130 (b)(6) of Ordinance No. 2010-O-06 describes the responsibilities and duties of the City Manager concerning all personnel policies and states the City Manager shall be authorized to promulgate administrative policies, including personnel policies, consistent with federal, state and local laws subject to ratification of the policy by the City Council.

All personnel policies are developed in accordance with federal, state, and local laws. Any changes to federal, state, or local laws affecting the City's personnel policies will be amended in such policies as necessary.

**II. PURPOSE OF POLICY:**

The City utilizes an organization-wide information and computer system to more effectively and efficiently communicate and maintain information necessary to the operations of the City. The system, as well as all hardware, software, and peripherals are the property of the City and are for business use only.

This policy is established to define the appropriate use by employees of electronic media, including email, the Internet and the Intranet. The City will not tolerate the inappropriate use of electronic media, including e-mail, the Internet and Intranet, bulletin boards, and any other electronic methods of communication.

**III. SCOPE:**

Employees with access to these electronic communication tools are required to review and abide by this policy, excluding Elected Officials unless otherwise provided by Council policy or law.

#### IV. DEFINITIONS:

Electronic Media – are media that use electronics or electromechanical energy for the end user to access the content. Any equipment used in the electronic communication process (e.g. television, radio, telephone, desktop computer, handheld device) may also be considered electronic media.

Public Records – shall mean all writings made, maintained or kept by the City for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditures of public funds. "Public Records" does not include Work Product. However, it does include the correspondence of elected officials, with limitations, as noted in C.R.S. Section 24-72-202, *et seq.*

Work Product – shall mean all advisory or deliberative materials assembled for the benefit of elected officials, which materials express an opinion or are deliberative in nature and are communicated for the purpose of assisting such elected officials in researching a decision within the scope of their authority.

Writings – shall mean all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics, including digitally stored data (including, without limitation, electronic mail messages) but do not include computer software.

#### V. POLICY:

##### Appropriate Use of Electronic Media

Employees are expected and have the obligation to use good judgment at all times when using the Internet and other electronic communication tools. Electronic media is made available to employees for the purpose of providing an effective method to engage in work-related communication, increase productivity, perform research and obtain information that will assist in performing work-related tasks. Such access is to be considered a privilege that may be granted or revoked by an employee's supervisor. Examples of appropriate use of electronic media may include tasks such as:

- Accessing external resources to obtain work-related or required information.
- Transmitting work-related documents.
- Work-related communications with other City employees.
- Communicating with other professionals with similar issues and jobs to share ideas and problem-solve.
- Obtaining information from vendors or contractors concerning products and services.

##### Prohibited Uses

This policy prohibits employees from using or accessing electronic media for the following activities:

- Transmitting or soliciting any material or messages in violation of federal, state, and local law, ordinance, resolution, or regulation.
- Transmitting or soliciting any material that would offend someone on the basis of his or her age, race, sex, religion, political beliefs, national origin, or disability, or any other harassing or defamatory comments.
- Improperly distributing information that is privileged, protected, confidential or otherwise subject to nondisclosure under any law, ordinance, resolution, regulation or rule. If an employee is not sure whether information is confidential or privileged, the employee should consult with his or her supervisor, department director or the City Attorney's Office prior to disseminating the information.
- Distributing unauthorized broadcast messages or solicitations, including "blast" emails.
- Accessing or distributing offensive or pornographic materials.
- Entertainment through the use of computer games.
- Distributing or downloading copyrighted materials in violation of the copyright, including software, photographs or any other media.
- Developing or distributing programs that are designed to infiltrate computer systems internally or externally.
- Accessing or downloading any resource for which there is a fee without prior appropriate approval.
- Representing yourself as another user or employee.
- Attempting to access an unauthorized system.
- Giving your username and/or password to anyone without supervisor approval.

If an employee is in doubt whether an electronic media use is prohibited, the employee should consult with his or her supervisor, department director, or the Human Resources Director.

### Public Records

The Colorado Open Records Act requires that all "public records" as defined in the Act be available for inspection and copying by any member of the public on demand. The definition of public records includes electronic communication. Therefore, correspondence in the form of electronic mail may be a public record subject to inspection and copying under § 24-72-203 C.R.S.

If you receive an open records request concerning electronic communications, immediately refer the matter to the City Clerk and your supervisor pursuant to the City's Public Records Request Policy.

### Monitoring and Privacy

The City has the right to access, audit, intercept, monitor and disclose the contents of electronic messages, Internet contacts and communications, and other information created, received or sent over the City's systems. Circumstances in which access, monitoring, and/or disclosure could occur include, but are not limited to:

- suspected misuse of electronic media;
- investigation related to pending or anticipated litigation;
- to ensure compliance with this policy, applicable laws, ordinances, or court orders;



- to ensure appropriate use;
- to access information in the employee's computer system when the employee is unavailable.

The contents of an employee's City-owned computer and City electronic mail account are subject to search without the employee's consent. Employees should not have any expectation of privacy in the electronic communications or electronic media accessed. Electronic media, specifically the Internet and e-mail, are not secure communication networks and personal or privileged information sent via these media could potentially be read or disclosed by anyone.

### Violations

Violations of this policy may result in the termination of access to email, the Internet and the Intranet, or other forms of electronic media. Violations may also result in disciplinary or legal action up to and including discharge of employment.

### VI. EFFECTIVE DATE:

This policy shall be effective upon signature.

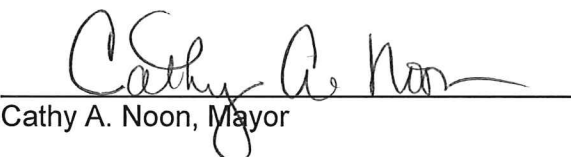
### VII. APPROVAL:

  
 Jacques Wedding-Scott, City Manager

3.15.11  
 Date

### VIII. RATIFICATION:

RESOLUTION NO. \_\_\_\_\_

  
 Cathy A. Noon, Mayor

3.21.11  
 Date

### ATTEST:

  
 City Clerk or Deputy City Clerk